



February 22, 2008

VIA FEDERAL EXPRESS

Sarah Flanagan, Assistant Regional Counsel
Office of Regional Counsel – Region II
U.S. Environmental Protection Agency
290 Broadway – 17th Floor
New York, NY 10007-1866

Re: Request for Information Pursuant to 42 U.S.C. §§ 9601-9675 Lower
Passaic River Study Area

Dear Ms. Flanagan:

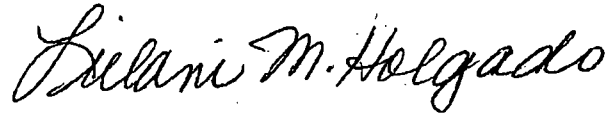
Pursuant to Section 104(e) of CERCLA, Public Service Electric and Gas Company (PSE&G) hereby responds to the United States Environmental Protection Agency's ("EPA") Request for Information, dated November 14, 2007 with respect to the above-referenced matter seeking information regarding a site on Memorial Drive in West Paterson, New Jersey. EPA granted an extension to PSE&G until February 22, 2008 to comply with this Request for Information. This response is a result of a diligent search for and review of reasonably available documents and discussions with persons believed to have some knowledge of the site. Because of the volume of documents being produced in response to this request, you stated that the documents should be sent to you and not to Raymond Basso as stated in EPA's request.

A few of the documents that are part of this response are confidential business information pursuant to 40 C.F.R. Part 2, Subpart B. These documents have been marked as such and separated into another envelope as required within the Directions Section of your Request for Information, Attachment A, #11. Please refer to PSE&G's response to Question #24 for explanations regarding the claim for confidentiality. Should EPA decide to disclose such information contrary to the assertions made herein, PSE&G

requests that it be disclosed only to the extent permitted by Section 104(e) of CERCLA, 42 U.S.C. § 9604(e), and 40 C.F.R. Part 2, Subpart B.

Should you have any questions concerning these responses, please do not hesitate to contact me.

Very truly yours,

A handwritten signature in cursive script that reads "Leilani M. Holgado". The signature is written in dark ink and is positioned above the printed name.

Leilani M. Holgado, Esq.

Enclosure

**PSE&G'S RESPONSE TO EPA'S REQUEST FOR INFORMATION PURSUANT
TO 42 U.S.C. §§ 9061-9675 REGARDING THE LOWER PASSAIC RIVER
STUDY AREA – MEMORIAL DRIVE SITE**

General Objections:

PSE&G objects to this Request for Information to the extent that EPA seeks to collect information beyond that which is authorized pursuant to Section 104(e) of CERCLA, such as information protected by the attorney-client privilege, the work product doctrine, a joint defense privilege, or any other applicable privilege or rule of confidentiality, or information that contains the impressions, conclusions, opinions, legal research, or theories of attorneys of PSE&G. PSE&G makes these responses without prejudice to PSE&G's right to present additional facts or contentions based upon information hereafter obtained or evaluated. PSE&G specifically reserves the right to supplement or amend this response as new information is developed.

**PSE&G's responses to EPA's Request for Information dated November 14, 2007
are as follows:**

1. Answer the following questions regarding your business or Company. In identifying a company that no longer exists, provide all the information requested, except for the agent for service of process. If your Company did business under more than one name, list each name.
 - a) State the correct name and mailing address of the Company.

RESPONSE:

**Public Service Electric and Gas Company ("PSE&G")
80 Park Plaza
Newark, NJ 07102**

- b) State the name and address of the president, chief executive officer or the chairman of the board, or other presiding officer of the Company.

RESPONSE:

**Ralph A. LaRossa is the President and Chief Operating Officer. His
address is 80 Park Plaza Newark, NJ 07102**

- c) Identify the state of incorporation of Company and its agent for service of process in the state of incorporation and in New Jersey.

RESPONSE:

PSE&G is incorporated in the State of New Jersey. Edward Biggins, Corporate Secretary is the agent for service of process – 80 Park Plaza, T4B Newark, NJ 07102.

- d) If the Company is a subsidiary or affiliate of another company, or has subsidiaries, or is a successor to another company, identify these related companies. For each related company, describe the relationship of the company and indicate the date and manner in which each relationship was established.

RESPONSE:

Please refer to the attached chart (bates numbered PSEG00001) outlining the corporate structure of PSE&G.

- e) How many employees does the Company have?

RESPONSE:

PSE&G has approximately 10,000 employees.

2. How long has the Company operated at the location identified in Attachment C? If your company no longer operates at this location, during what years did your Company operate at the location?

RESPONSE:

PSE&G never operated at the Memorial Drive site in West Paterson, NJ.

3. Does your Company have or has it in the past had a permit or permits issued pursuant to the Resource Conservation and Recovery Act (RCRA), 42 U.S.C. §6901, et seq. ?

RESPONSE:

No, PSE&G has not had the need to obtain a RCRA permit for this location as PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ.

If "yes" state the years during which your Company held the permit and the EPA Identification Number.

RESPONSE:

Not applicable.

4. Does your Company have or has it in the past had any permit issued pursuant to the Federal Water Pollution Control Act, 33 U.S.C. §1251, et seq. ?

RESPONSE:

No, PSE&G has not had the need to obtain a permit pursuant to the Federal Water Pollution Control Act for this location as PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ.

If "yes" state the years during which your Company held the permit and the EPA Identification Number.

RESPONSE:

Not applicable.

5. Did or does your Company use, store, generate, manufacture, discharge, release or dispose of any materials containing any polychlorinated byphenyls ("PCBs").

RESPONSE:

No, PSE&G has not and does not use store, generate, manufacture, discharge, release or dispose of PCB containing materials at this site.

If "yes", please list specific aroclors: _____

RESPONSE:

Not applicable.

6. Describe the process or processes with which any PCB identified in response to question 5 was associated.

RESPONSE:

Not applicable. Please see answer to question 5.

7. Provide an estimate of the quantity of any PCB identified in response to question 5 used, stored, generated, manufactured, discharged, released or disposed of, on an annual basis. Attach any documents used to prepare the list.

RESPONSE:

Not applicable. Please see answer to question 5.

****(The Request for Information does not include a Question 8 or 9)**

10. Describe the methods of collection, storage, treatment, and/or disposal of PCBs or PCB-containing substances. Include information on the following:

- a) Describe all storage practices employed by your Company including but not limited to:
- i. If drums were stored outside, were the drums stored on the ground or were they stored on areas that had been paved with asphalt or concrete? Please provide a complete description of these storage areas.

RESPONSE:

Not applicable. Please see answer to question 5.

- ii. If drums were stored outside, were empty drums segregated from full drums?

RESPONSE:

Not applicable. Please see answer to question 5.

- b) Describe any process used to treat the Company's waste containing PCBs, and how the waste is handled and/or disposed of after it has been treated.

RESPONSE:

Not applicable. Please see answer to question 5.

- c) If PCBs or any materials containing PCBs were taken off-site by a hauler or transporter, provide the names and addresses of the waste haulers and the disposal sites.

RESPONSE:

Not applicable. Please see answer to question 5.

11. Identify all persons who arranged for and managed the processing, treatment, storage and disposal of PCBs or any materials containing PCBs.

RESPONSE:

Not applicable. Please see answer to question 5.

12. For process waste waters generated at the facility which contained any PCBs or any materials containing PCBs:

- a) Where was the waste water discharged during what years?

RESPONSE:

Not applicable. Please see answer to question 5.

- b) If any waste waters were discharged into a sanitary sewer, during what years did these discharges occur?

RESPONSE:

Not applicable. Please see answer to question 5.

- c) If any waste waters were not discharged to the sanitary sewer, where were they discharged or disposed of, and during what years?

RESPONSE:

Not applicable. Please see answer to question 5.

- d) Describe any treatment of waste waters prior to being discharged to the sanitary sewer, or elsewhere, or otherwise disposed of. Please be specific.

RESPONSE:

Not applicable. Please see answer to question 5.

- e) Please provide the results of any analyses performed on any waste process streams generated at the facility.

RESPONSE:

Not applicable. Please see answer to question 5.

13. For flood drains or other disposal drains at the Company's location:

- a) Did the drains connect to a sanitary sewer and if so, during what years?

RESPONSE:

PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ, and thus is not in a position to determine whether any flood drains or disposal drains existed at that location nor whether those drains connected to a sanitary sewer.

- b) If the floor drains or other disposal drains at the Company's location did not discharge to the sanitary sewer, where did they discharge and during what years?

RESPONSE:

Not applicable. Please see answer to question 13a.

- c) Did any storm sewers, catch basins or lagoon exist at any time at the location and if so, during what years?

RESPONSE:

PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ, and thus is not in a position to determine whether any storm sewers, catch basins or lagoons existed at any time at that location.

- i) Were the catch basins or lagoons lined or un-lined?

RESPONSE:

Not applicable. Please see answer to question 13c.

- ii) What was stored in the lagoons?

RESPONSE:

Not applicable. Please see answer to question 13c.

- iii) What was the ultimate discharge point for the storm sewers, catch basins or lagoons?

RESPONSE:

Not applicable. Please see answer to question 13c.

- iv) During what years was the Company discharging from any of these structures?

RESPONSE:

Not applicable. Please see answer to question 13c.

- v) Were these discharges treated before release and if so, how long and during what years?

RESPONSE:

Not applicable. Please see answer to question 13c.

- vi) What was the chemical composition of any waste waters discharged from any of these structures?

RESPONSE:

Not applicable. Please see answer to question 13c.

- d) Provide diagrams of any waste water collection, transport, storage, treatment or disposal systems on the property.

RESPONSE:

PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ and thus is not in a position to provide diagrams of any waste water collection, transport, storage, treatment or disposal systems at that location.

14. Identify any PCBs or any materials containing PCBs that were disposed of in or discharged to the Passaic River, including its tributaries. Estimate the amount of the PCBs or any materials containing PCBs disposed of in or discharged to the Passaic River, including its tributaries, and the frequency with which this disposal or discharge or disposal occurred. Also please include any sampling of the river which you might have done after any discharge or disposal.

RESPONSE:

PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ and thus did not dispose or discharge any PCBs or materials containing PCBs into the Passaic River or its tributaries.

15. Identify any leaks spills, explosions, fires or other incidents of accidental discharges that occurred at the Company's location during or as a result of which any PCBs or any materials containing PCBs were released on the property, into the waste water or storm drainage system at the facility or to

the Passaic River including its tributaries. Provide any documents or information relating to these incidents, including the ultimate disposal of any contaminated materials.

RESPONSE:

PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ and thus is not in a position to determine if any leaks spills, explosions, fires or accidental discharges of PCBs were released on the property or into waste water or storm drainage systems or the Passaic River including its tributaries from this site.

16. Provide any results of any sampling, investigations or assessments of the soil, water, air or other media at or in relation to the Company's location.

RESPONSE:

Although PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ, it possesses documents potentially responsive to this inquiry. In response to this question, please refer to documents bates labeled PSEG000002-PSEG000041, PSEG000074-PSEG000603, PSEG000801-PSEG000817, PSEG000818- PSEG000834, PSEG000845-PSEG000887, PSEG000896-PSEG 000900, PSEG001027-PSEG001210, PSEG001370-PSEG001393, PSEG001398-PSEG006387, PSEG006653-PSEG006657, PSEG006695-PSEG009906, PSEG009909-PSEG011064, PSEG011132-PSEG011624.

17. Was the Company's location ever subject to flooding?

RESPONSE:

PSE&G never owned or operated the Memorial Drive site in West Paterson, NJ and thus is not in a position to determine whether this location was ever subject to flooding.

If so, provide the date and duration of each flood event. Was the flooding due to:

- a. Overflow from sanitary or storm sewer back-up, and/or

RESPONSE:

Not applicable. Please see answer to question 17.

- b. Flood overflow from the Passaic River?

RESPONSE:

Not applicable. Please see answer to question 17.

18. Please provide a detailed description of any civil, criminal or administrative proceedings against your Company for violations of any local, State or Federal laws or regulations relating to water pollution or hazardous waste generation, storage, transport or disposal. Provide copies of all pleadings and depositions or other testimony given in these proceedings.

RESPONSE:

Please refer to documents relating to depositions which are bates stamped PSEG000604-PSEG000800, PSEG000835-PSEG000844, PSEG006388-PSEG006652.

19. Provide a copy of any document that describes or relates to the disposal of all PCBs or any materials containing PCBs at or from the Company's location. If you are unable to provide a copy of any document, then identify the document pursuant to the instructions set forth in Attachment A.

RESPONSE:

PSE&G never owned or operated at the Memorial Drive site in West Paterson, NJ and thus is not in a position to determine whether any disposal from another party occurred at that location. However, PSE&G has never disposed of any PCBs or PCB-containing materials at this location.

20. Does the Company own the location identified on Attachment C?

RESPONSE:

No, PSE&G does not own the location identified on Attachment C .

- c. If so, when and from whom did your Company purchase the property?

RESPONSE:

Not applicable. Please see answer to question 20.

- d. If your Company subsequently sold the property, when and to whom did your Company sell it and in what year?

RESPONSE:

PSE&G never owned the property located on Memorial Drive in West Paterson, NJ.

- e. Provide copies of any deeds and documents of sale.

RESPONSE:

PSE&G does not have copies of any deeds and documents pertaining to the sale of the property located on Memorial Drive in West Paterson, NJ

21. If your Company has never owned the location, for whom did the Company rent the location, and during what time period? Provide copies of any rental agreements.

RESPONSE:

PSE&G never owned the property located on Memorial Drive in West Paterson, NJ and thus was not in a position to rent that location.

22. Provide the names of all parties who owned or operated the location during the period from 1940 through the present. Describe the relationship, if any, of each of those parties with your Company.

RESPONSE:

The Singer Company (Singer”), and certain of its predecessors, including Kearfott Guidance and Navigation Corp. (“Kearfott”),

owned the property at some point between 1940 and the present. PSEG001027-PSEG001210, PSEG001029-PSEG0001030 and PSEG011065-PSEG011131 make references to other possible owners. There is no corporate relationship between Singer/Kearfott and PSE&G.

23. Provide the name, address, telephone number, title and occupation of the person(s) answering this "Request for Information" and state whether such person(s) had personal knowledge of the responses. In addition, identify each person who assisted in any way in responding to the "Request for Information" and specify the question to which each person assisted in responding. Please include the names and addresses of former employees who were contacted to respond to any of the questions.

RESPONSE:

The following persons have assisted in responding to this request but do not have personal knowledge of the events that occurred at the Memorial Drive site:

Leilani M. Holgado, Esq.
Assistant General Environmental Counsel
PSEG Services Corporation
80 Park Plaza, T5C
Newark, NJ 07102
(973)430-5521

Richard Blackman
Project Manager for Environmental Health & Safety
PSEG Services Corporation
80 Park Plaza, T17
Newark, NJ 07102
(973)430-8278

Dennis Fiorello
Manager for Environmental Health Safety & Compliance
PSE&G
80 Park Plaza, T13
Newark, NJ 07102
(973)430-7325

24. Please provide copies of all insurance policies and indemnification agreements held or entered into by the Company that arguably could

indemnify the Company against any liability that the Company may be found to have under CERCLA for releases and threatened releases of hazardous substances, pollutants, or contaminants at and from the Company's location. In response to this Question, please provide not only those insurance policies and agreements which currently are in effect, but also those which were in effect during the entire period of the Company's ownership or operation of the location. For any policy that you cannot locate or obtain, provide the name of the carrier, years in effect, nature and extent of coverage, and any other information you have.

RESPONSE:

Without waiving its objections, and specifically preserving this response as confidential information, PSE&G responds as follows:

Please refer to document bates labeled PSEG001394, PSEG006658-PSEG006673, PSEG000888-000895, PSEG006674-PSEG006694 and PSEG011442-PSEG011457. PSE&G is claiming that these documents should remain confidential permanently and has taken every precaution to guard against the undesired disclosure of this information to others by agreeing to specify such requirement within the settlement agreement. These documents are also protected by the attorney-client privilege and the attorney work product doctrine and contains the impressions, conclusions, opinions, legal research, or theories of an attorney at PSE&G. PSE&G is unaware of these documents being disclosed to others and is equally unaware as to whether any confidentiality determinations have been made by EPA or other federal agencies as to these documents. The disclosure of information would likely result in substantial harmful effects to PSE&G's business competitive position and will subject PSE&G to unnecessary breach of contract claims as well as other possible adverse consequences stemming from such breach. Based on these claims, PSE&G has placed these confidential documents into another envelope labeled confidential as required within the Directions Section of your Request for Information, Attachment A, #11.

Furthermore, PSE&G never owned or operated the property located on Memorial Drive in West Paterson, NJ. However, letters were mailed to insurance carriers as a result of potential litigation from Singer/Kearfott. Please see documents attached bates stamped PSEG000901-PSEG001397, PSEG007253-PSEG007267.

25. Identify all individuals (other than those identified in your response to Question 23) who may have information or documents relating to the subject of this Request for Information, and/or the generation, handling, storage, transportation or disposal of the hazardous substances, hazardous wastes or industrial waste materials at or from the Company's location.

RESPONSE:

PSE&G never owned or operated the property located on Memorial Drive in West Paterson, NJ. However, Singer Company, Kearfott Guidance and Navigation Corporation and the New Jersey Department of Environmental Protection may possibly have additional information relevant to this request for information.

CERTIFICATION OF ANSWERS TO REQUEST FOR INFORMATION

State of New Jersey:

County of Essex:

I certify under penalty of law that I have personally examined and am familiar with the information submitted in this document (response to EPA Request for Information) and all documents submitted herewith, and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the submitted information is true, accurate, and complete, and that all documents submitted herewith are complete and authentic unless otherwise indicated. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment. I am also aware that my company is under a continuing obligation to supplement its response to EPA's Request for Information if any additional information relevant to the matters addressed in EPA's Request for Information or the company's response thereto should become known or available to the company.

Dennis J. Fiorello

NAME (print or type)

Mgr - Environmental Compliance

TITLE (print or type)

Dennis J. Fiorello

SIGNATURE

Sworn to before me this 22nd day of Feb 2008

Dianne C. Brady
Notary Public Signature
DIANNE C. BRADY
NOTARY PUBLIC OF NEW JERSEY
Commission Expires 5/4/2012

CHRONOLOGY OF EVENTS MEMORIAL DRIVE SITE

The Memorial Drive site is located between Memorial Drive and the Peckman River in the Township of West Paterson, New Jersey. The site is approximately six acres in size and is undeveloped. The site was reportedly used as a dump site for coal ash, coke, coal tar, and wood chips from 1920 through 1945. The site was purchased by a predecessor of The Singer Company in 1956. Kearfott Guidance and Navigation Corporation acquired the site from The Singer Company in April 1988. The site was never used for operational activities by The Singer Company or its predecessors, or by Kearfott Guidance and Navigation Corporation.

The following is a summary of certain significant events relating to the site:

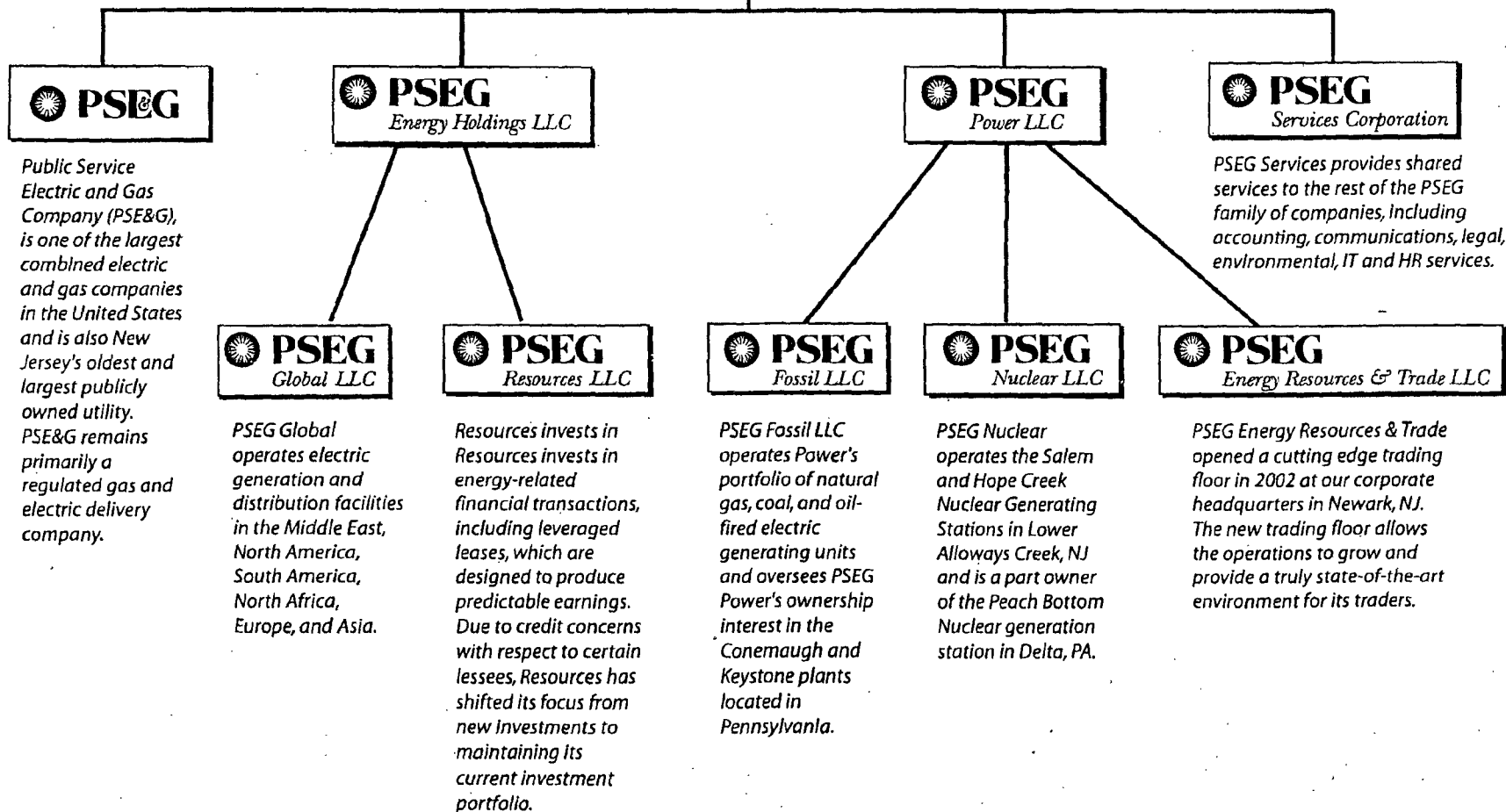
- | | |
|----------------|--|
| 1983 | Nearby residents complain to the West Paterson Board of Health about odors emanating from the Memorial Drive Site. A public relations concern still persists today in connection with the site. |
| August 1983 | Test pits were excavated by C.A.Rich Consultants of Glenhead, New York and eight soil samples and two groundwater grab samples were collected for analysis. Analytical results indicate that the soils contain volatile organic compounds (VOCs), base neutral extractable compounds (BNs), and cyanide. Groundwater results detect similar constituents but at much lower concentrations. |
| April 1985 | C.A.Rich Consultants splits samples with the NJDEP. Five soil samples and two groundwater samples are collected. Concentrations of naphthalene, toluene, ethylbenzene, total cyanide, and phenols were detected in the soil samples. Cyanide was the only analyte detected in the groundwater samples. |
| April 1988 | A change in control of The Singer Company triggered New Jersey's Environmental Cleanup Responsibility Act (ECRA). The site was issued the following ECRA case numbers: 88064 & 88854. |
| August 1988 | Woodward and Clyde Consultants of Wayne, NJ prepared an ECRA sampling plan to the NJDEP for investigation of the Memorial Drive Site. |
| July 1989 | NJDEP conditionally approves the August 31, 1988 sampling plan. |
| September 1989 | Direct Environmental Inc. of East Orange, NJ removed all visible tanks and drums present at the Memorial Drive Site. At the time of removal, the tank and drums were empty and in poor condition. Initial contents, if any, are unknown. |

CHRONOLOGY OF EVENTS (Cont'd)

- September 1989 Fred C. Hart Associates, Inc. (Hart) of Liberty Corner, NJ implemented the NJDEP approved sampling plan which included the completion of 22 soil borings and five overburden monitoring wells. VOCs (specifically BTEX compounds), BNs (PAHs and naphthalene), cyanide, phenols, and metals were detected in the soil samples. VOCs (TCE and BTEX), cyanide, and metals were detected in the groundwater samples. The results were submitted to the NJDEP in November 1989.
- May 1990 Hart completed four additional soil borings and installed three additional monitoring wells.
- September 1990 Hart submits a cleanup plan for the Memorial Drive site. The plan proposes soil excavation and removal of the areas which exceed the cleanup numbers calculated on a risk assessment performed by Hart and a pump-and-treat system for extraction and treatment of the groundwater.
- March 1991 The NJDEP rejects the risk assessment based cleanup numbers and lists the cleanup numbers to be used at the site. The NJDEP requests that additional areas be targeted for soil excavation and removal and that groundwater be monitored rather than initiate an active groundwater treatment system.
- October 1991 McLaren/Hart Environmental Engineering Corp. (McLaren/Hart) of Warren, NJ submits a revised cleanup plan for the Memorial Drive site which addresses the NJDEP's comments on the initial cleanup plan. The cleanup plan proposes to excavate and remove the soil which exceed the NJDEP cleanup numbers and monitor the groundwater through a physical and chemical monitoring plan.
- July 1992 NJDEPE conditionally approves the October 17, 1991 revised cleanup plan in a draft letter. A new set of approved cleanup levels for residential and non-residential soil are specified. The NJDEPE requires additional sampling parameters for post-excavation soil samples collected and a geophysical survey.
- July 1992 NJDEPE assigns new case manager, Murdo Morrison, to the Memorial Drive site.
- September 1992 McLaren/Hart responds to the NJDEPE's July 31, 1992 comments on the October 17, 1991 revised cleanup plan. Kearfott agrees, with a few exceptions, to perform the additional activities required by the NJDEPE.

CHRONOLOGY OF EVENTS (Cont'd)

- March 1993 At the request of the NJDEPE, McLaren/Hart reevaluates the site with respect to the NJDEPE's Residential Cleanup Standards as presented in the February 2, 1992 New Jersey Register. The reevaluation indicates that there will only be minor changes to the conditionally approved cleanup plan. One additional small area surrounding a soil boring would be required to be excavated based on the proposed standards.
- September 1993 NJDEPE conditionally approves the October 17, 1991 revised cleanup plan and the September 1992 comments to that plan.
- January 1994 To initiate activities associated with the NJDEPE's September 17, 1993 cleanup plan approval, the results of the first quarterly groundwater sampling event (November 1993) were submitted to the NJDEPE.



Under the direction of Sarah Flanagan, ORC and Robert Keating, Records Center Manager, attachments were not scanned. Also Notice Letters were not issued to this PRP.

PSE&G/Memorial Drive Site

DIAMOND ALKALI SUPERFUND SITE

NJD980528996